



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

The Honorable Juan Vargas  
United States House of Representatives  
1605 LHOB  
Washington, DC 20510

Dear Congressman Vargas:

Thank you for your March 24, 2020 letter expressing concern over the continued wastewater flows entering the United States from Mexico through the Tijuana River Valley, and environmental and public health concerns along the U.S.-Mexico border. The Department of State (Department), the Environmental Protection Agency (EPA) and the U.S. section of the International Boundary and Water Commission (USIBWC) remain deeply concerned about the impact of these flows on communities in San Diego County.

In response to the efforts of you and your colleagues, Congress directed the Administrator of the EPA in Section 821 of the United States-Mexico-Canada Agreement Implementation Act (USMCA) to "carry out the planning, design, construction, and operation and maintenance of high priority treatment works in the covered area to treat wastewater (including stormwater), nonpoint sources of pollution, and related matters resulting from international transboundary water flows originating in Mexico." To fulfill the EPA's obligations under Section 821 of the USMCA, the EPA is working expeditiously to develop the necessary mechanisms to engage stakeholders, prioritize project options, and address polluted transboundary flows to the Tijuana River watershed. Ensuring coordination between all applicable governments is vital to ensuring the transboundary issues are properly identified and fully addressed.

Importantly, the Department continues to raise concerns about these important issues with Mexican federal, state and local officials, both in Mexico City and Baja California, to ensure continued collaboration and coordination among the governments. For example, at a recent Executive Steering Committee meeting of the 21st Century Border Management Initiative, the Department secured Mexican consent to maintain the Tijuana sanitation issue in the Action Plan of the Infrastructure Subcommittee. Inclusion in the Action Plan of the Infrastructure Subcommittee ensures regular high-level review by the appropriate agencies of both governments. Officials at the U.S. Embassy in Mexico City have also engaged President Lopez Obrador's administration on wastewater challenges along the border on a number of occasions, including through multiple meetings with Mexico's Foreign Relations, Environment, and Water Commission officials. Officials at the U.S. Consulate in Tijuana have also worked closely with the Governor of Baja California and the management of the Baja California State Public Services Commission for Tijuana, the utility that currently manages Tijuana diversion pumps. The Consulate has also reached out to the U.S. private sector to bring American water technologies and services solutions to Tijuana, as part of ongoing efforts to demonstrate high quality, high value strategies Mexico can employ. The Consulate is also encouraging Mexicans to pursue low-cost, low-tech upstream stormwater deviation and infiltration measures to offset the flows that overwhelm Tijuana's pumps during rainy periods. The Department will continue to raise these important issues with Mexican

counterparts to ensure the necessary continued involvement and cooperation from the necessary governments.

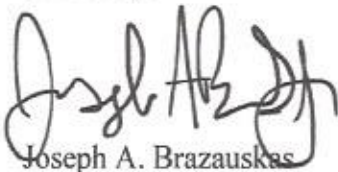
The EPA will continue to co-fund projects to improve the wastewater collection system in Tijuana. Through the Border Water Infrastructure Program (BWIP), the EPA has invested more than \$50 million in wastewater improvement projects in the Tijuana River Watershed to prevent raw sewage from entering the United States via the Tijuana River and the Pacific Ocean. Currently, the EPA is working with the North American Development Bank (NADB) to fund the repair of several miles of wastewater collectors and construction or rehabilitation of 39 manholes in Tijuana, a project that was certified by the NADB in November of 2017. The goal of this project is to help reduce the amount of raw sewage that enters the river through broken collection pipes.

Additionally, the USIBWC is continuing to monitor the operational condition of critical sewage pump stations in Tijuana and notify local stakeholders when spills and transboundary flows occur. At a March 5, 2020, Citizens Forum meeting in Imperial Beach, California, officials from the USIBWC presented on the status of the Tijuana pumps that divert wastewater away from the U.S. border. In that presentation, USIBWC officials indicated that the diversion pumps in Tijuana are currently in working order and that the recurring wastewater flows are actually due to ongoing rain events, which overwhelm the pumps' capacity and require them to be turned off temporarily.

Because the pumps often suffer from mechanical failures or power outages, Mexican federal officials report to the Department that they are planning to take control for operation of the diversion pumps in Tijuana. Federalization of the pump system was the key request made during the September 23, 2019, meeting of a San Diego delegation, including by Mayors Kevin Faulconer and Serge Dedina and the San Diego Chamber of Commerce, with Deputy Assistant Secretary of State Hugo Rodriguez. Currently, the Mexican Section of the IBWC plans to take over operation and maintenance of the pumps moving forward, contingent on necessary funding. The Department worked to ensure Mexico's federal and local plans are consistent with each other and is pleased to report there is an agreement between the federal governments of Mexico and Baja California on the planned takeover by the Mexican Section of IBWC.

We hope this information is helpful to you. Please let us know if we may be of further assistance.

Sincerely,



Joseph A. Brazauskas  
Associate Administrator  
Office of Congressional and  
Intergovernmental Relations  
U.S. EPA



Mary Elizabeth Taylor  
Assistant Secretary  
Bureau of Legislative Affairs  
U.S. State Department